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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/426,878	10/26/1999	JUN HORIYAMA	35.C13969	2477

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FITZPATRICK CELLA HARPER & SCINTO  
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EXAMINER

NGUYEN, PHUOC H

ART UNIT PAPER NUMBER

2143

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/426,878

Applicant(s)

HORIYAMA, JUN

Examiner

Phuoc H. Nguyen

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 24-27, 29-36, 38-41, 51-54 and 56-59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 24-27, 29-36, 38-41, 51-54 and 56-59 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Request for Continued Examination***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.
2. Amendment received on July 2, 2004 has been entered into record.
3. Claims 24-27,29-36,38-41,51-54, and 56-59 remain pending.

### ***Response to Amendment***

4. This office action is in response to the applicants Amendment filed on July 2, 2004. Claims 24,25,27,31-34,36,38,40,41,51,52,54,55,58, and 59 have been amended, and claims 28,37,42-50, and 55 have been cancelled. Claims 24-27,29-36,38-41,51-54, and 56-59 are presented for further consideration and examination.
5. Applicant's arguments with respect to claims 24,31,32,33,40,41,51,58, and 59 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2143

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 24-27,29-36,38-41,51-54, and 56-59 rejected under 35 U.S.C. 103(a) as being unpatentable over Hiraike et al (Hereafter, Hiraike) U.S. Pat. No. 5,995,718 in view of Legal Precedent.

8. Referring to claims 24,31,32,33,40,41,51,58, and 59, Hiraike discloses a reference unit adapted to refer to font registration information that includes information specifying a font registered in a printing apparatus (col. 7, lines 54 through col. 8, lines 2); a font registration unit adapted to download font data to the printing apparatus for registration (col. 8, lines 16-36); and a management unit adapted to retain the font registration information and manage registration information, indicating the font data downloaded to the printing apparatus font registration unit, wherein the font registration information is used when the font data is downloaded to the printing apparatus by said font registration unit (col. 13, lines 63 through col. 14, lines 6). For clarification purposes figure 14 showing the details of the font (character code) registration process. First registration management table determine whether the character code (font) has been registered or not. If it is already registered transferred the register code to the printer. If not registered, it will check to see whether it has a sufficient capacity, if so the character is transferred to the printer and renewed the registration management table (col. 9, lines 24-63); however, Hiraike fails to teach the font data registered to a plurality of printers.

The font data registered to a plurality of printers disclosed by *In re Harza* (legal precedent for duplication), 274 F.2d 669, 124 USPQ 378, 380 (CCPA 1960) which states "It is well settled that the mere duplication of parts has no patentable significance unless a new and

Art Unit: 2143

unexpected result is produced". See MPEP 2144.04(VI)(B). In this claim, duplicating the part does not produce any new result and does not produce any unexpected result.

9. Referring to claims 25,34, and 52, Hiraike reference disclose an instruction unit adapted to send a delete instruction to the printing apparatus to delete the font data registered in the printing apparatus, wherein the font registration information retained in the management unit is updated in response to deletion of the font data, in accordance with the delete instruction (col. 9, lines 26-63).

10. Referring to claims 26,35, and 53, Hiraike reference disclose a specifying unit adapted to specify information on a font to be downloaded, based on the font registration information referred to by said reference unit (col. 12, lines 28-45).

11. Referring to claims 27,36, and 54, Hiraike reference disclose font registration unit collectively downloads the font data to a printing apparatus for registration (col. 9, lines 17-19); however, Hiraike fails to teach the font data registered to a plurality of printers.

The font data registered to a plurality of printers disclosed by *In re Harza* (legal precedent for duplication), 274 F.2d 669, 124 USPQ 378, 380 (CCPA 1960) which states "It is well settled that the mere duplication of parts has no patentable significance unless a new and unexpected result is produced". See MPEP 2144.04(VI)(B). In this claim, duplicating the part does not produce any new result and does not produce any unexpected result.

12. Referring to claims 29,38, and 56, Hiraike reference disclose the font registration information indicates a printer name and a font name in combination for each of a plurality of printing apparatuses, said specifying unit specifies information on a font to be downloaded to each printing apparatus, based on the font registration information, and said font registration unit

Art Unit: 2143

collectively downloads the font data to the plurality of printing apparatuses for registration, in response to specification of the information by said specifying unit (Figure 18; col. 5, lines 66 through col. 6, lines 7; col. 9, lines 17-21; and col. 12, lines 28-45).

13. Referring to claims 30,39, and 57, Hiraike reference disclose the font registration information includes information that indicates a printer name and a font name (Figure 18; col. 5, lines 66 through col. 6, lines 7).

### ***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Matsumoto U.S. Patent 6,507,407

Nomura U.S. Patent 5,113,355

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 703-305-5315. The examiner can normally be reached on Mon -Thu ( 7AM-4:30PM ) and off every other Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703-308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Art Unit: 2143

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Phuoc H. Nguyen  
Examiner  
Art Unit 2143

September 14, 2004

  
RUPAL DHARIA  
SUPERVISORY PATENT EXAMINER